

United States District Court  
Southern District of Texas  
FILED

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

JUL 22 2014

David J. Bradley, Clerk

UNITED STATES OF AMERICA  
V.

## CRIMINAL COMPLAINT

Fidel Agustin Perez-Sanchez  
A206 692 669 YOB: 1988  
Francisco Javier Perez-Sanchez  
A202 006 624 YOB: 1985Principal Mexico  
Co-Principal MexicoCase Number:  
M-14-1396-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 21, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Juan Samuel Machuca-Del Cid and Eleazar Moises Henriquez-Sandoval, citizens and nationals of El Salvador, along with five (5) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Mission, Texas to the point of arrest in Mission, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 21, 2014, Border Patrol Agents were observing an area west of the Anzalduas Port of Entry and noticed a group of subjects attempting to hide in a brushy area. Based on their location, Agents suspected the subjects were illegal aliens who had just made entry into the United States (U.S.). Agents monitored the group for approximately 45 minutes when they noticed a black car approach the area. The driver of the car proceeded to waive at the subjects gesturing for them to emerge from the brush. The subjects then proceeded to run out of the brush towards the black car. The sedan then drove off and a maroon SUV then appeared and parked in the same area. The subjects then boarded the SUV and drove away from the area. During this time, BPA Gregory shined his flashlight at the SUV making his presence known to the driver. SEE ATTACHED:

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ NoApproved + S.G.  
J. V. Olsen  
AUG 11 2014  
7-22-14

Sworn to before me and subscribed in my presence,

July 22, 2014  
DatePeter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial OfficerSignature of Complainant  
Derek Conrow Senior Patrol Agent  
Printed Name of ComplainantMcAllen, Texas  
City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-1396-M**

**RE: Fidel Agustin Perez-Sanchez A206 692 669**  
**Francisco Javier Perez-Sanchez A202 006 624**

BPA Lebron was near the area and responded to the Agents request for assistance. BPA Lebron located the described vehicles and suspected they were both involved in illegal activity related to alien smuggling. Based on his suspicion, he conducted a traffic stop on the SUV for an immigration inspection. As he approached the SUV, he noticed several subjects lying down in the back of the vehicle. The driver was identified as Fidel Agustin Perez-Sanchez. Perez-Sanchez admitted to being illegally present in the U.S. Seven additional subjects were found in the vehicle and all also admitted to being illegally in the U.S.

Agents also conducted a vehicle stop on the black car for an immigration inspection. In the car were the driver, identified as Francisco Javier Perez-Sanchez, a female passenger, and child. Perez-Sanchez admitted to being illegally present in the U.S. The passenger provided identification but records checks were needed since it appeared her permit was expired. All of the subjects were then transported for further interviews and processing. Based on the Agent's observations and statements given, Fidel Agustin Perez-Sanchez and Francisco Javier Perez-Sanchez were linked to alien smuggling in this case. The female passenger and child in the black car were not associated to the case.

**Principal Statements:**

Both principals were read their Miranda Rights and provided a statement without an attorney present.

1. Fidel Agustin Perez-Sanchez stated he was aware it was illegal to smuggle undocumented aliens. He further stated he needed money and asked a friend that is a smuggler for a job. He admitted making arrangements to be paid \$200 when he reached his drop off point. He also added his brother was driving the black car and directing him to the pick-up location. He added when the subjects boarded his vehicle he instructed them to lie down and not get up.
2. Francisco Javier Perez-Sanchez stated at the time of his arrest, his role was to drive in the area and look for any law enforcement. If he noticed any officers or agents, he would call them out. He also admitted making arrangements to be paid \$100 for his role as a lookout. He further stated his brother was driving the SUV and he was going to pick up the illegals near the Anzalduas Bridge.

**Material Witness Statements:**

Both material witnesses were read their Miranda Rights and agreed to provide a statement.

1. Juan Samuel Machuca-Del Cid claimed to be a citizen of El Salvador and admitted to illegally entering the U.S. Machuca stated his family made the arrangements for him and were going to pay a fee but he was not aware of the amount. He further stated after his entry, they were told to run since the vehicle was already in place. He added he got in the back of a reddish vehicle and hid. The vehicle then drove off and was stopped by Border Patrol. Machuca stated he could not recognize the driver since he only saw his backside but added, the vehicle never stopped prior and the driver never switched positions.

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2. Eleazar Moises Henriquez-Sandoval claimed to be a citizen of El Salvador and admitted to illegally entering the U.S. Henriquez stated he paid \$3,000 up front for his smuggling fee and would pay the remaining amount when he arrived in Houston. Henriquez further stated after his entry, he boarded a reddish type vehicle and sat in the passenger seat. Henriquez identified Fidel Agustin Perez-Sanchez as the driver of the SUV he boarded.